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September 28, 2022

VIA ECF

The Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

The motion to seal is GRANTED temporarily. Plaintiff shall file any response by September 30, 2022. The Court will assess whether to keep the materials at issue sealed or redacted when deciding the underlying Motion to Compel. The Clerk of Court is directed to terminate ECF No. 79.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Jesse M. Furman".

September 28, 2022

Re: Golden Unicorn Enterprises, Inc. et al. v. Audible, Inc., No. 1:21-cv-07059-JMF

Your Honor:

Pursuant to Rules 7(B) and 7(C) of Your Honor's Individual Rules and Practices in Civil Cases, Defendant Audible, Inc. respectfully seeks leave to file certain exhibits to its Letter in Response to the Court's September 23, 2022 Order at Dkt. 78 ("Letter") with redactions, namely, Exhibits B, C, E, F, G, and H. These exhibits contain documents Plaintiff Golden Unicorn Enterprises, Inc. produced in response to Audible's requests for production. The redactions were applied by Plaintiffs.

The documents contained in these exhibits had been designated either Confidential or Highly Confidential. On September 25, 2022, Audible asked Plaintiffs whether it could publicly file these documents or any portion of them. Plaintiffs consented to publicly filing redacted versions of these documents. Audible seeks to file unredacted versions of Exhibits B, C, E, and H under seal, as required by Your Honor's Individual Rules. Audible does not have unredacted versions of Exhibits F and G.

Audible respectfully requests the Court grant its request for leave to file Exhibits B, C, E, F, G, and H to Audible's Letter with redactions and B, C, E, and H under seal, pending the Court's evaluation of a letter submission by Plaintiffs explaining and justifying the need to redact these documents in Audible's filings pursuant to Your Honor's Individual Rules.

Respectfully,

FENWICK & WEST LLP

/s/ Brian D. Buckley

Brian D. Buckley

cc: All counsel of record (via ECF)